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OFFICE OF THE SECRETARY
FEDERAL MARITIME COMM

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September 2, 2003

Secretary
Federal Maritime Commission
800 North Capitol Street, N.W.
Washington, D.C. 20573-0001

To Whom It May Concern:

Phoenix International Freight Services, Ltd and our NVOCC, **PIX** Line, submit the following comments regarding Petition No. **P5-03** of the NCBFAA seeking an exemption from the provisions of Section 8 and 10 of the Shipping Act of 1984.

We fully support the complete removal of the tariff-filing requirement for NVOCCs. Our company pays in excess of \$30,000 annually for the maintenance of our web-based tariff. Our employees also spend a great deal of time researching, filing, changing, and deleting rates as necessary. Thus, a large amount of time and money are put into complying with the tariff-filing requirement that provides no real benefit to our customers or us. Despite it being made available, customers or potential customers do not access our tariff when seeking a rate from our company. A tariff does not force us to provide competitive pricing to customers - our competition does. It is our strong opinion that shippers would not experience any disadvantage by the complete removal of tariff filing among NVOCCs.

If the Commission does not authorize this exemption, Phoenix would support the establishment of rules permitting NVOCCs to file "range rates" instead of specific rates. The only real benefit to us in this case would be a reduction in the amount we pay our tariff provider. It would seem we would need to file fewer rate changes when the market causes us to fluctuate our rates slightly. Although the filing of "range rates" would benefit us monetarily, we still see no benefit to shippers by maintaining tariffs of this nature.

In summary, we feel that the NVOCC tariff-filing requirement does not benefit our company or those companies we serve. With the enormous amount of NVOCCs that exist in the U.S. we are forced to be competitive in our pricing or else we lose business. This would be the case with or without tariff filing. If the number of NVOCCs were small we could understand the policing of rates through tariff filing. But again, our market demands competitiveness and thus polices itself.



FMC 2431

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Phoenix International Freight Services, Ltd.
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www.phoenixintl.com

Fax: (630) 7666395

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Blake Williams", with a stylized flourish at the end.

Blake Williams
Export Compliance Manager
Phoenix International Freight Services, Ltd.



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FILED IN THE SECRETARY
FEDERAL MARITIME COMM

September 9, 2003

Secretary
Federal Maritime Commission
800 North Capitol Street NW
Washington, DC 20573-0001

To Whom It May Concern:

This is to **certify** that Phoenix International Freight Services, Ltd. has sent a copy of our comments on Petition **P5-03** to Petitioner's counsels, Edward D. Greenberg, Esq. and David K. Monroe, Esq. of **Galland Kharasch Greenbert Fellman & Swirsky, P.C.**

Sincerely,

Blake Williams
Export Compliance Manager
Phoenix International Freight Services, Ltd.



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